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TO

Amend the Law relating to Local Courts of Bankruptcy in A.D. 1890.
Ireland.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited as the Local Bankruptcy (Ireland) Short title.
Amendment Act, 1891.

2. This Act shall be read with the Irish Bankrupt and Insolvent Act, 1857, the Bankruptcy (Ireland) Act, 1872, the Local Bankruptcy (Ireland) Act, 1888, the Preferential Payments in Bankruptcy (Ireland) Act, 1889, and any Act or Acts amending the same. Construction of Act.

3. "Proceeding" in this Act shall mean a petition by a debtor for arrangement with his creditors, a petition by a debtor against himself for adjudication as a bankrupt, a petition by a creditor against a debtor for adjudication, and shall include a debtor's summons and declaration of insolvency. Definition.

4. From and after the passing of this Act the Lord Lieutenant of Ireland, upon the occurrence of a vacancy in the office of a judge of a local bankruptcy court, may by Order in Council direct that no proceeding, as defined by this Act, under the Irish Bankrupt and Insolvent Act, 1857, the Bankruptcy (Ireland) Act, 1872, or any Act amending the same, shall be taken as to a person who shall reside or shall have an office or place of business within the district assigned to a local bankruptcy court, save in such court, provided that such order may be made at any time with the consent of the existing judge of a local bankruptcy court. Proceeding on vacancy of office of judge of local bankruptcy court.

5. The judge of a local bankruptcy court may, either of his own motion or on the application of a debtor or creditor, transfer to the Transfer to Court of Bankruptcy.
[Bill 151.]

A.D. 1890. Court of Bankruptcy any matter pending in such local bankruptcy court, and the provisions in the fifteenth section of the Local Bankruptcy (Ireland) Act, 1888, so far as the same are applicable, shall apply to the matter so transferred.

Re-transfer from Court of Bankruptcy. 6. The Court of Bankruptcy may and at the close of the matter 5 shall re-transfer the said matter and all proceedings thereunder to the local bankruptcy court from which it was transferred, and the provisions in the fifteenth section of the Local Bankruptcy (Ireland) Act, 1888, so far as the same are applicable, shall apply to the matter so re-transferred as if the matter had been instituted in the 10 Court of Bankruptcy and transferred to a local bankruptcy court under the said section.

Court of Bankruptcy not to make order as to transfer. 7. The Court of Bankruptcy shall not make an order to transfer to the said court any matter pending in a local bankruptcy 15 court.

Notification by judge of court. 8. It shall not be necessary to notify to the Court of Bankruptcy any adjudication or proceedings in any matter in a local bankruptcy court, save such as the judge thereof shall direct to be notified.

Making orders. 9.—(1.) The judges of the Court of Bankruptcy may from time to time make general orders in respect of the matters aforesaid. 20

(2.) The Lord Lieutenant of Ireland, as regards local courts of bankruptcy, by Order in Council may from time to time make orders and revoke such orders in respect of the matters aforesaid.

Appointment of additional clerks. County Courts Act, 1877. 10. If at any time it shall appear to the Lord Chancellor and the Treasury that the staff of officers for the time being provided 25 for any local court of bankruptcy is insufficient for the discharge of the duties of the said court, such additional clerk or clerks may be appointed to discharge such of the said duties during such periods, and subject to such regulations as may be from time to time prescribed by the Lord Chancellor, provided that every such 30 appointment shall be made as follows:

(1.) The appointment shall be made by the local registrar:

(2.) Every person so appointed shall possess such qualification and may be required to pass such examination as the Lord Chancellor may from time to time prescribe, and shall be 35 removable by the Lord Chancellor at his discretion.

Duties of clerks. 11. Every officer or clerk appointed or to be appointed to any office in a local court of bankruptcy may by the judge of the said court be required, and if required, shall be empowered to discharge such duties in connexion with the Civil Bill Court or Recorders Court 40 of which the judge of the local bankruptcy court is judge, as the said judge shall appoint.

